

Judicial Branch

Analyst: Burns

Historical Summary

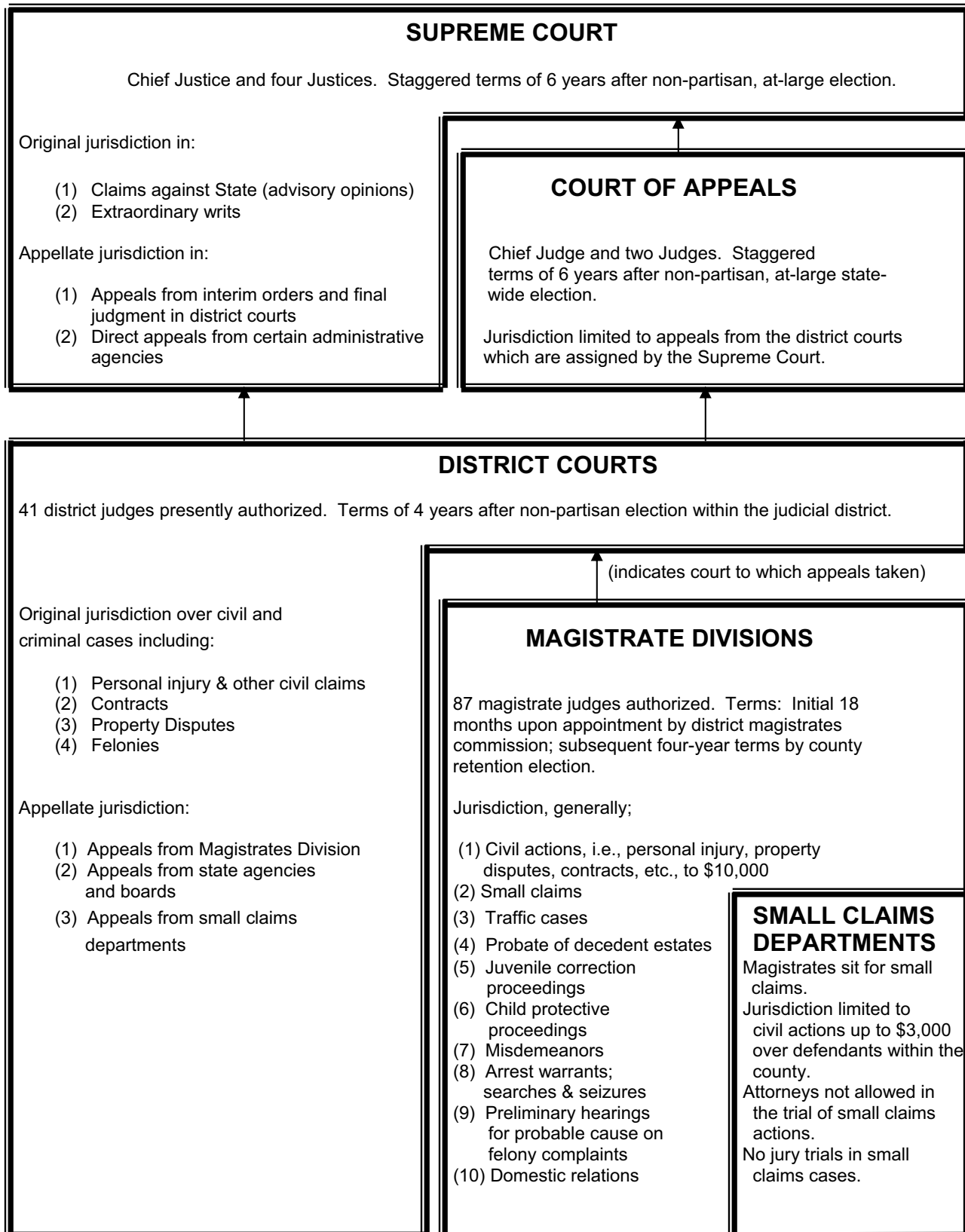
OPERATING BUDGET	FY 2006 Total App	FY 2006 Actual	FY 2007 Approp	FY 2008 Request	FY 2008 Gov Rec
BY PROGRAM					
Supreme Court	5,921,000	4,774,400	5,767,400	6,160,400	6,134,100
Law Library	506,100	488,300	521,300	524,200	521,700
District Courts	13,978,200	12,255,400	14,690,300	15,524,300	15,307,700
Magistrates Division	11,289,300	11,361,800	13,441,100	13,977,400	14,003,000
Judicial Council	111,300	95,400	113,400	115,400	113,400
Court of Appeals	1,178,400	1,197,400	1,193,500	1,246,800	1,232,300
Guardian Ad Litem Account	430,900	430,900	439,100	881,000	873,100
Snake River Basin Adjudication	847,800	811,800	863,400	939,500	939,200
Total:	34,263,000	31,415,400	37,029,500	39,369,000	39,124,500
BY FUND CATEGORY					
General	25,809,300	25,793,100	27,749,100	30,175,300	30,056,600
Dedicated	6,951,000	4,672,800	7,748,900	7,630,200	7,532,100
Federal	1,502,700	949,500	1,531,500	1,563,500	1,535,800
Total:	34,263,000	31,415,400	37,029,500	39,369,000	39,124,500
Percent Change:		(8.3%)	17.9%	6.3%	5.7%
BY OBJECT OF EXPENDITURE					
Personnel Costs	276,700	23,823,400	0	0	0
Operating Expenditures	0	6,840,200	0	0	0
Capital Outlay	0	162,300	0	0	0
Trustee/Benefit	0	589,500	0	0	0
Lump Sum	33,986,300	0	37,029,500	39,369,000	39,124,500
Total:	34,263,000	31,415,400	37,029,500	39,369,000	39,124,500
Full-Time Positions (FTP)	247.00	247.00	255.00	259.00	259.00

Department Description

The Judicial Branch is made up of the following programs:

- 1) The Supreme Court of Idaho is the state's court of last resort. The Court hears appeals from final decisions of the District Court, as well as from orders of the PUC and the Industrial Commission.
- 2) The Law Library is the state repository for official publications received from other states and the federal government.
- 3) The District Courts have original jurisdiction over all civil and criminal cases, and appeals from the Magistrate Division, state agencies and boards.
- 4) The Magistrate Division has jurisdiction over cases involving domestic violence, domestic relations, juvenile cases, and civil cases under \$10,000, felony preliminary hearings, criminal misdemeanors, and infractions.
- 5) The Idaho Judicial Council is empowered by statute to nominate persons to the Governor for appointment to vacancies on the Supreme Court, Court of Appeals, and District Courts and make recommendations to the Supreme Court for the removal, discipline and retirement of judicial officers.
- 6) The Court of Appeals provides another court to share the appellate caseload with the Idaho Supreme Court. The court has jurisdiction to hear and decide all cases assigned to it by the Supreme Court; except cases invoking the Supreme Court's original jurisdiction, appeals from the Industrial Commission, PUC, and death penalty cases.
- 7) Guardian Ad Litem grants are awarded to Court Appointed Special Advocate (CASA) programs to recruit, train and coordinate volunteers to act as court appointed special advocates for abused, neglected or abandoned children under the Child Protective Act.
- 8) The Snake River Basin Adjudication is a court process established to inventory all surface and ground water rights in the Snake River drainage.

IDAHO'S INTEGRATED COURT STRUCTURE



Judicial Branch

Agency Profile

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Sources of Funds

	<u>Percent of Total</u>	<u>FY 2006 Actual</u>	<u>FY 2007 Estimate</u>	<u>FY 2008 Request</u>
1. General Fund (0001-00)	82%	25,793,200	27,749,100	30,175,300
General Fund: Derived from individual and corporate income tax, sales tax, cigarette tax, beer and wine tax, liquor surcharge, kilowatt hour tax, and other miscellaneous taxes. Used for personnel, operating and capital outlay.				
2. Economic Recovery Reserve (0150-00)	0%	0	170,000	0
Twenty-nine cents of the 57 cent per pack cigarette tax.				
3. Guardian Ad Litem (0239-00)	0%	0	0	14,000
This fund consists of moneys transferred from the state General Fund, contributions, and interest earnings. All moneys are distributed to guardian ad litem programs within the judicial districts in the state and to pay the administrative expenses of a grant administrator selected by the Supreme Court. A guardian ad litem program is designed to recruit, train and coordinate volunteer persons to serve as guardians ad litem for abused, neglected or abandoned children.				
4. ISTARS Technology (0314-00)	8%	2,487,900	3,367,200	3,407,100
Funding comes from a five dollar fee on all criminal and infraction offenses, and five dollars of the filing fee and appearance fee in civil cases. Subject to appropriation, these moneys in this fund are used to support and maintain the Trial Court Automated Records System (ISTARS) technology program. ISTARS is the statewide automation of court records, information, and operations to manage judicial caseloads and timely transmission of court information to law enforcement, transportation and fish and game.				
5. Drug/MH/Family Court Services (0340-00)	6%	1,821,700	3,036,800	3,097,100
Funded from a 2% surcharge from the sale of liquor. These funds are subject to appropriation and are used by the Supreme Court for the operation of drug courts and to assist children and families in the courts.				
6. Guardianship Pilot Project (0341-00)	0%	2,300	76,400	277,800
Pilot project established to help design and improve the reporting and monitoring system for guardianships and conservator ships with funding coming from additional filing and reporting fees.				
7. Senior Magistrate Judges (0347-00)	0%	0	510,000	510,000
Enables the Supreme Court to purchase membership service in the Public Employee Retirement System for certain retiring magistrate judges. To capitalize this fund, civil filing fees were increased by six dollars.				
8. Millennium Income (0499-00)	1%	270,000	270,000	0
Consists of distributions from the Idaho Millennium Fund to support youth courts and status offender services.				
9. Miscellaneous Revenue (0349-00)	0%	90,900	318,500	324,200
Receipts from sales of publications and computer aided legal research.				
10. Federal Grants (0348-00)	3%	949,500	1,531,500	1,563,500
Funding from federal agencies to support drug courts, drug court evaluations, among other things.				
Total	100%	31,415,500	37,029,500	39,369,000

Judicial Branch

Analyst: Burns

Comparative Summary

Decision Unit	Agency Request			Governor's Rec		
	FTP	General	Total	FTP	General	Total
FY 2007 Original Appropriation	255.00	27,749,100	37,029,500	255.00	27,749,100	37,029,500
Non-Cognizable Funds and Transfers	0.00	0	0	0.00	0	0
FY 2007 Estimated Expenditures	255.00	27,749,100	37,029,500	255.00	27,749,100	37,029,500
Removal of One-Time Expenditures	0.00	0	(440,000)	0.00	0	(440,000)
Base Adjustments	0.00	0	0	0.00	0	0
FY 2008 Base	255.00	27,749,100	36,589,500	255.00	27,749,100	36,589,500
Benefit Costs	0.00	422,200	425,400	0.00	0	0
Inflationary Adjustments	0.00	40,500	166,400	0.00	0	0
Replacement Items	0.00	153,600	153,600	0.00	153,600	153,600
Statewide Cost Allocation	0.00	0	2,200	0.00	0	2,200
Change in Employee Compensation	0.00	239,500	247,500	0.00	342,200	353,500
FY 2008 Program Maintenance	255.00	28,604,900	37,584,600	255.00	28,244,900	37,098,800
1. Judicial Salary Increases	0.00	562,900	562,900	0.00	804,200	804,200
2. Senior Judges	0.00	282,500	282,500	0.00	282,500	282,500
3. Mileage Rate Adjustment	0.00	140,000	140,000	0.00	140,000	140,000
4. Guardian Ad Litem	0.00	420,000	434,000	0.00	420,000	434,000
5. Guardianship Pilot Project	0.00	0	200,000	0.00	0	200,000
6. Other Salary Increases	0.00	165,000	165,000	0.00	165,000	165,000
7. Increased FTP	4.00	0	0	4.00	0	0
Lump Sum or Other Adjustments	0.00	0	0	0.00	0	0
FY 2008 Total	259.00	30,175,300	39,369,000	259.00	30,056,600	39,124,500
Change from Original Appropriation	4.00	2,426,200	2,339,500	4.00	2,307,500	2,095,000
% Change from Original Appropriation		8.7%	6.3%		8.3%	5.7%

Judicial Branch

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
FY 2007 Original Appropriation	255.00	27,749,100	7,748,900	1,531,500	37,029,500

Non-Cognizable Funds and Transfers

Reflects lump sum allocation.

Agency Request	0.00	0	0	0	0
Governor's Recommendation	0.00	0	0	0	0

FY 2007 Estimated Expenditures					
Agency Request	255.00	27,749,100	7,748,900	1,531,500	37,029,500
Governor's Recommendation	255.00	27,749,100	7,748,900	1,531,500	37,029,500

Removal of One-Time Expenditures

Remove funding provided for one-time items.

Agency Request	0.00	0	(440,000)	0	(440,000)
Governor's Recommendation	0.00	0	(440,000)	0	(440,000)

Base Adjustments

Reflects differences between legislative appropriations and court allocation.

Agency Request	0.00	0	0	0	0
Governor's Recommendation	0.00	0	0	0	0

FY 2008 Base					
Agency Request	255.00	27,749,100	7,308,900	1,531,500	36,589,500
Governor's Recommendation	255.00	27,749,100	7,308,900	1,531,500	36,589,500

Benefit Costs

Restores funding for one health insurance holiday taken in FY 2007. Also includes the employer-paid portion of estimated changes in employee benefit costs. The two biggest factors are health insurance rates and retirement rates. Health insurance is projected to increase by 4.9% or \$350 per position. Retirement rates are scheduled to increase by 5.9% from 10.39% to 11% of salary for regular employees and by 62% from 7% to 11.34% of salary Supreme Court Justices. Other benefit changes include minor adjustments in unemployment insurance rates and workers compensation rates. Also, included is \$12,500 in trustee and benefit payments to cover the increased cost of judge's life and health insurance, as it relates to line item number three for senior judges.

Agency Request	0.00	422,200	2,600	600	425,400
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The Governor recommends that all health insurance related adjustments be funded by program changes or utilizing reserves available in the group insurance contract. As the PERSI Board voted to maintain the current contribution rate for the upcoming fiscal year, no adjustment to retirement rates is necessary.

Governor's Recommendation	0.00	0	0	0	0
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Inflationary Adjustments

Includes a general inflationary increase of 1.8% in operating expenditures and trustee and benefit payments.

Agency Request	0.00	40,500	98,200	27,700	166,400
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Inflationary increases are provided only for contractual obligations such as leased space costs. Other inflationary requests are not recommended.

Governor's Recommendation	0.00	0	0	0	0
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Replacement Items

Includes \$40,000 for phone system hardware and software, \$42,300 for vehicle replacement, and \$26,800 for chairs and desks. Also included for the Snake River Basin Adjudication is \$26,500 for a storage device, \$5,000 for two document imaging scanners, \$5,000 for one Windows network server, and \$8,000 for two document printers.

Agency Request	0.00	153,600	0	0	153,600
Governor's Recommendation	0.00	153,600	0	0	153,600

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
Statewide Cost Allocation					
This decision unit includes adjustments for services provided by state agencies as follow: \$2,400 for State Controller fees, and \$700 for property and casualty insurance premiums. It also includes a reduction of \$900 in State Treasurer fees.					
Agency Request	0.00	0	0	2,200	2,200
Governor's Recommendation	0.00	0	0	2,200	2,200
Change in Employee Compensation					
Reflects the calculated cost of a 3.5% salary increase for non-judicial salaries.					
Agency Request	0.00	239,500	6,500	1,500	247,500
<i>The Governor recommends a compensation increase of 5% to be distributed based on merit.</i>					
Governor's Recommendation	0.00	342,200	9,200	2,100	353,500
FY 2008 Program Maintenance					
Agency Request	255.00	28,604,900	7,416,200	1,563,500	37,584,600
Governor's Recommendation	255.00	28,244,900	7,318,100	1,535,800	37,098,800
1. Judicial Salary Increases					
Reflects the calculated cost of a 3.5% salary increase in judicial salaries and will require legislation authorizing such an increase.					
Agency Request	0.00	562,900	0	0	562,900
<i>This decision unit provides a 5% salary increase for the judicial salaries.</i>					
Governor's Recommendation	0.00	804,200	0	0	804,200
2. Senior Judges					
Funding is requested for additional senior judge days to resolve disputes fairly and within the time standards adopted by the Supreme Court. A cadre of well-respected, experienced senior retired judges are available to be assigned to courts where the caseload needs are the greatest, or emergency circumstances exist. This level of funding will permit the Idaho courts to continue to resolve an increasing number of cases timely, and pursue further court innovations, without adding full-time judgeships. This level of funding provides \$220,000 for senior judges, \$50,000 for travel, and \$12,500 for life and health insurance.					
Agency Request	0.00	282,500	0	0	282,500
<i>The Governor makes no recommendation regarding this request, but submits it to the Legislature as presented.</i>					
Governor's Recommendation	0.00	282,500	0	0	282,500
3. Mileage Rate Adjustment					
Over the past three years the mileage reimbursement rate has increased from 34.5 cents per mile to 48.5 cents per mile. With the Judicial Branch driving between 700,000 and 1,000,000 miles per year, funding is requested to cover this added cost.					
Agency Request	0.00	140,000	0	0	140,000
<i>The Governor makes no recommendation regarding this request, but submits it to the Legislature as presented.</i>					
Governor's Recommendation	0.00	140,000	0	0	140,000
4. Guardian Ad Litem					
In addition to a 1.8% increase (\$7,900) included under inflationary adjustments, an additional \$60,000 for each of seven judicial districts is requested to expand the Guardian Ad Litem Program. One-time spending authority of interest earned in the dedicated Guardian Ad Litem Fund is also requested.					
Agency Request	0.00	420,000	14,000	0	434,000
<i>The Governor makes no recommendation regarding this request, but submits it to the Legislature as presented.</i>					
Governor's Recommendation	0.00	420,000	14,000	0	434,000

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Budget by Decision Unit	FTP	General	Dedicated	Federal	Total
5. Guardianship Pilot Project					
The court is requesting additional spending authority to compensate for the timing of revenue collections. The additional spending authority will allow the court to spend cash already collected for the statutory requirements set forth in legislation for the completion of the Guardianship Pilot Project.					
Agency Request	0.00	0	200,000	0	200,000
<i>The Governor makes no recommendation regarding this request, but submits it to the Legislature as presented.</i>					
Governor's Recommendation	0.00	0	200,000	0	200,000
6. Other Salary Increases					
Based on a Western States Survey that was conducted in December 2006, funding is requested to increase the salaries of sixteen law clerks and forty-one court reporters for fiscal year 2008. According to the courts, with no on-going salary savings, they are faced with a situation where they cannot fund pay grade level changes without additional resources.					
Agency Request	0.00	165,000	0	0	165,000
<i>The Governor makes no recommendation regarding this request, but submits it to the Legislature as presented.</i>					
Governor's Recommendation	0.00	165,000	0	0	165,000
7. Increased FTP					
Currently, the Judicial Branch is operating with part-time and contract staff. The courts are requesting an increase in authorization for full-time equivalent positions to replace contractors and part-time help with full-time employees, if found to be more cost effective. Personnel costs and benefits for these new positions will be paid by shifting dedicated and federal moneys from operating expenditures to personnel costs. No dollar amounts have been provided, nor a list of the desired positions to be added.					
Agency Request	4.00	0	0	0	0
<i>The Governor makes no recommendation regarding this request, but submits it to the Legislature as presented.</i>					
Governor's Recommendation	4.00	0	0	0	0
Lump Sum or Other Adjustments					
The agency requests the amounts without restriction to personnel costs, operating expenditures, capital outlay or trustee and benefit payments. Because lump sum is an exception to the state budget laws, it requires specific legislative authorization and approval.					
Agency Request	0.00	0	0	0	0
<i>The Governor makes no recommendation regarding this request, but submits it to the Legislature as presented.</i>					
Governor's Recommendation	0.00	0	0	0	0
FY 2008 Total					
Agency Request	259.00	30,175,300	7,630,200	1,563,500	39,369,000
Governor's Recommendation	259.00	30,056,600	7,532,100	1,535,800	39,124,500
Agency Request					
Change from Original App	4.00	2,426,200	(118,700)	32,000	2,339,500
% Change from Original App	1.6%	8.7%	(1.5%)	2.1%	6.3%
Governor's Recommendation					
Change from Original App	4.00	2,307,500	(216,800)	4,300	2,095,000
% Change from Original App	1.6%	8.3%	(2.8%)	0.3%	5.7%